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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

BROADCAST MUSIC, INC.; RONDOR
MUSIC INTERNATIONAL, INC. d/b/a
IRVING MUSIC; BOY MEETS GIRL MUSIC;
SONY/ATV SONGS LLC; EMI BLACKWOOD
MUSIC, INC.; SONG A TRON MUSIC;
PRODISC MUSIC COMPANY; TONK
MUSIC, INC.; TEE'S PUBLISHING, INC.,

Plaintiffs,

v.

IL JAMRA, LLC d/b/a THE BALCONY; and
PAUL QASSIS, individually,

Defendants.

Civil Action No. _____

Document Electronically Filed

COMPLAINT

Plaintiffs, by their undersigned attorneys, for their Complaint against Defendants Il Jamra, LLC d/b/a The Balcony and Paul Qassis (collectively, "Defendants"), allege as follows (on knowledge as to Plaintiffs; otherwise on information and belief):

JURISDICTION AND VENUE

1. This is an action for copyright infringement under the United States Copyright Act of 1976, as amended, 17 U.S.C. §§ 101 *et seq.* (the "Copyright Act"). This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

2. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and 1400(a).

THE PARTIES

3. Plaintiff Broadcast Music, Inc. ("BMI") is a corporation organized and existing under the laws of the State of New York. BMI's principal place of business is 7 World Trade Center, 250 Greenwich Street, New York, New York 10007. BMI has been granted the right to license the public performance rights in approximately 12 million copyrighted musical compositions (the "BMI Repertoire"), including those which are alleged herein to have been infringed.

4. The Plaintiffs other than BMI are the owners of the copyrights in the musical compositions that are the subject of this lawsuit. All Plaintiffs are joined pursuant to Fed. R. Civ. P. 17(a) and 19(a).

5. Plaintiff Rondor Music International, Inc. is a corporation doing business as Irving Music. This Plaintiff is the copyright owner of at least one of the songs in this matter.

6. Plaintiff Boy Meets Girl Music is a partnership owned by Shannon Rubicam and George Robert Merrill. This Plaintiff is the copyright owner of at least one of the songs in this matter.

7. Plaintiff Sony/ATV Songs LLC is a limited liability company. This Plaintiff is the copyright owner of at least one of the songs in this matter.

8. Plaintiff EMI Blackwood Music, Inc. is a corporation. This Plaintiff is the copyright owner of at least one of the songs in this matter.

9. Plaintiff Song A Tron Music is a partnership owned by Allen George and Fred McFarlane. This Plaintiff is the copyright owner of at least one of the songs in this matter.

10. Plaintiff Prodisc Music Company is a partnership owned by Anthony Dick, Clayton

Canaii and Oswald K. Elliott. This Plaintiff is the copyright owner of at least one of the songs in this matter.

11. Plaintiff Tonk Music, Inc. is a corporation. This Plaintiff is the copyright owner of at least one of the songs in this matter.

12. Plaintiff Tee's Publishing, Inc. is a corporation. This Plaintiff is the copyright owner of at least one of the songs in this matter.

13. Defendant Il Jamra, LLC is a limited liability company organized and existing under the laws of the State of New Jersey, that operates, maintains and controls an establishment known as The Balcony (the "Establishment"), located at 491 Broad Street, Carlstadt, NJ 07072, in this district.

14. In connection with the operation of the Establishment, Defendant Il Jamra, LLC publicly performs musical compositions and/or causes musical compositions to be publicly performed.

15. Defendant Il Jamra, LLC has a direct financial interest in the Establishment.

16. Defendant Paul Qassis is the President and owner of Defendant Il Jamra, LLC with responsibility for the operation and management of that limited liability company and the Establishment.

17. Defendant Paul Qassis has the right and ability to supervise the activities of Defendant Il Jamra, LLC and a direct financial interest in that limited liability company and the Establishment.

CLAIMS OF COPYRIGHT INFRINGEMENT

18. Plaintiffs repeat and reallege each of the allegations contained in paragraphs 1 through 17.

19. Since September 2013, BMI has reached out to Defendants over eighty (80) times, by phone, an in-person visit, by mail and by email, in an effort to educate Defendants as to their obligations under the Copyright Act with respect to the necessity of purchasing a license for the public performance of musical compositions in the BMI Repertoire. Included in the letters were Cease and Desist Notices, providing Defendants with formal notice that they must immediately cease all use of BMI-licensed music in the Establishment.

20. Plaintiffs allege four (4) claims of willful copyright infringement based upon Defendants' unauthorized public performance of musical compositions from the BMI Repertoire. All of the claims for copyright infringement joined in this Complaint are governed by the same legal rules and involve similar facts. Joinder of these claims will promote the convenient administration of justice and will avoid a multiplicity of separate, similar actions against Defendants.

21. Annexed to this Complaint as a schedule (the "Schedule") and incorporated herein is a list identifying some of the many musical compositions whose copyrights were infringed by Defendants. The Schedule contains information on the four (4) claims of copyright infringement at issue in this action. Each numbered claim has the following eight lines of information (all references to "Lines" are lines on the Schedule): Line 1 providing the claim number; Line 2 listing the title of the musical composition related to that claim; Line 3 identifying the writer(s) of the musical composition; Line 4 identifying the publisher(s) of the musical composition and the plaintiff(s) in this action pursuing the claim at issue; Line 5 providing the date on which the copyright registration was issued for the musical composition; Line 6 indicating the copyright registration number(s) for the musical composition; Line 7 showing the date(s) of infringement; and Line 8 identifying the Establishment where the infringement occurred.

22. For each work identified on the Schedule, the person(s) named on Line 3 was the creator of that musical composition.

23. For each work identified on the Schedule, on or about the date(s) indicated on Line 5, the publisher(s) named on Line 4 (including any predecessors in interest), complied in all respects with the requirements of the Copyright Act and received from the Register of Copyrights Certificates of Registration bearing the number(s) listed on Line 6.

24. For each work identified on the Schedule, on the date(s) listed on Line 7, Plaintiff BMI was (and still is) the licensor of the public performance rights in the musical composition identified on Line 2. For each work identified on the Schedule, on the date(s) listed on Line 7, the Plaintiff(s) listed on Line 4 was (and still is) the owner of the copyright in the respective musical composition listed on Line 2.

25. For each work identified on the Schedule, on the date(s) listed on Line 7, Defendants publicly performed and/or caused to be publicly performed at the Establishment the musical composition identified on Line 2 without a license or permission to do so. Thus, Defendants have committed copyright infringement.

26. The specific acts of copyright infringement alleged in the Complaint, as well as Defendants' entire course of conduct, have caused and are causing Plaintiffs great and incalculable damage. By continuing to provide unauthorized public performances of works in the BMI Repertoire at the Establishment, Defendants threaten to continue committing copyright infringement. Unless this Court restrains Defendants from committing further acts of copyright infringement, Plaintiffs will suffer irreparable injury for which they have no adequate remedy at law.

WHEREFORE, Plaintiffs pray that:

- (I) Defendants, their agents, servants, employees, and all persons acting under their permission and authority, be enjoined and restrained from infringing, in any manner, the copyrighted musical compositions licensed by BMI, pursuant to 17 U.S.C. § 502;
- (II) Defendants be ordered to pay statutory damages, pursuant to 17 U.S.C. § 504(c);
- (III) Defendants be ordered to pay costs, including a reasonable attorney's fee, pursuant to 17 U.S.C. § 505; and
- (IV) Plaintiffs have such other and further relief as is just and equitable.

Dated: October 12, 2016
Newark, New Jersey

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Schedule

Line 1	Claim No.	1
Line 2	Musical Composition	I Wanna Dance With Somebody Who Loves Me a/k/a Somebody Who Loves Me
Line 3	Writer(s)	George Merrill; Shannon Rubicam
Line 4	Publisher Plaintiff(s)	Rondor Music International, Inc. d/b/a Irving Music; Shannon Rubicam and George Robert Merrill, a partnership d/b/a Boy Meets Girl Music
Line 5	Date(s) of Registration	11/10/86 6/15/87 6/30/87
Line 6	Registration No(s).	PAu 901-755 PA 343-550 PAu 985-995
Line 7	Date(s) of Infringement	2/6/16
Line 8	Place of Infringement	Balcony

Line 1	Claim No.	2
Line 2	Musical Composition	Missing
Line 3	Writer(s)	Ben Watt; Tracey Thorn
Line 4	Publisher Plaintiff(s)	Sony/ATV Songs LLC
Line 5	Date(s) of Registration	9/20/94
Line 6	Registration No(s).	PA 726-917
Line 7	Date(s) of Infringement	2/6/16
Line 8	Place of Infringement	Balcony

Line 1	Claim No.	3
Line 2	Musical Composition	Show Me Love
Line 3	Writer(s)	Allen George; Fred Mc Farlane
Line 4	Publisher Plaintiff(s)	EMI Blackwood Music, Inc.; Allen George and Fred Mc Farlane, a partnership d/b/a Song A Tron Music
Line 5	Date(s) of Registration	3/24/95
Line 6	Registration No(s).	PA 752-568
Line 7	Date(s) of Infringement	2/6/16
Line 8	Place of Infringement	Balcony

Line 1	Claim No.	4	
Line 2	Musical Composition	Can You Party	
Line 3	Writer(s)	Todd Terry	
Line 4	Publisher Plaintiff(s)	Anthony Dick, Clayton Canaii and Oswald K. Elliott, a partnership d/b/a Prodisc Music Company; Tonk Music, Inc.; Tee's Publishing, Inc.	
Line 5	Date(s) of Registration	6/28/88	2/7/89
Line 6	Registration No(s).	PA 374-395	PA 428-693
Line 7	Date(s) of Infringement	2/6/16	
Line 8	Place of Infringement	Balcony	
